

In The Drawings

A replacement drawing sheet showing amended figures 1-5, without markings, is provided on a separate sheet in compliance with §1.84. Figures 1-5 have been amended to provide an English-language reference to each figure. Figure 1 has also been amended to include the legend -Prior Art -.

REMARKS

Applicant thanks the Examiner for the courtesy of an in-person Interview on March 22, 2005. A Statement of Substance of Interview is enclosed with the present response, in accordance with MPEP 713.04.

Claims 1-20 are pending. By this Amendment, claims 1 and 4 are amended and claim 7 is cancelled. Following entry of this Amendment, nineteen (19) claims will be pending (claims 1-6 and 8-20) of which four (4) are independent (claims 1, 4, 15 and 19). No new matter will be incorporated into the present application by entry of this Amendment. If the Office determines that any additional fees are deemed to be necessary with the filing of this Amendment, then the Office is authorized and requested to charge such fees to Deposit Account No. 061910.

In the Office Action mailed November 3, 2004, the Examiner objected to the title as being not descriptive; objected to the abstract under §608.01(b) for repeating information given in the title, uses phrases that can be implied, and refers to purported merits or speculative applications of the invention; objected to Figure 1 requesting that it be designated by a legend such as -Prior Art- because that which is old is illustrated; objected to the drawings as failing to comply with 37 CFR 1.84(p)(4) because reference character "23" has been used to designate both "light housing", "light cylinder", and "upper light cylinder"; objected to the drawings as failing to comply with 37 CFR 1.84(p)(4) because reference character "1" has been used to designate different parts in different embodiments; objected to the drawings as failing to comply with 37 CFR 1.84(p)(5) because they include the reference character "1" not mentioned in the description; objected to the drawings as failing to comply with 37 CFR 1.84(p)(5) because they include the reference character "K" not mentioned in the description;

objected to the specification stating that the use of the trademark PERSPEX should be capitalized wherever it appears and accompanied by the generic terminology; objected to the specification stating that the phrase “(1) polymethyl methacrylate, lexiglass or acrylic” is out of place; objected to claim 8 stating there is insufficient antecedent basis for the limitation “locking teeth” in line 1; rejected claims 1, 4-6 and 11-17 under 35 U.S.C. 103(a) as being unpatentable over Applicant’s Admission of Prior Art and U.S. Patent No. 6,416,198 to Vanderschuit; allowed claims 19 and 20; and objected to claims 2, 3, 7-10 and 18 as being dependant upon a rejected base claim, but indicated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The present Amendment is being filed with a view toward obtaining the allowance of claims at the earliest possible date. Applicant maintains that the original claims are patentably distinct over the applied prior art references. Therefore, Applicant expressly reserves the right to pursue the original claims, or other claims not having all features of the present claims, in further prosecution.

The Examiner objected to the title as being not descriptive. Applicant thanks the Examiner for providing suggested language for amending the title and has amended the title accordingly.

The Examiner also objected to objected to the abstract under §608.01(b) for repeating information given in the title, uses phrases that can be implied, and refers to purported merits or speculative applications of the invention. The abstract has been amended to address the Examiner’s concerns and is now under 150 words.

The Examiner also objected to Figure 1 requesting that it be designated by a legend such as -Prior Art- because that which is old is illustrated. Replacement Figure 1 has been amended to include a -Prior Art- legend.

The Examiner also objected to the drawings as failing to comply with 37 CFR 1.84(p)(4) because reference character “23” has been used to designate both “light housing”, “light cylinder”, and “upper light cylinder”. Applicant would like to point out that the terms “light housing” and “light cylinder” are use interchangeably in the specification (see, e.g., the first paragraph of the Detailed Description). Applicant has amended the phrase “upper light cylinder 23” in the specification to provide “upper portion of the light cylinder 23” to clarify that reference character “23” is designating the light cylinder.

The Examiner also objected to the drawings as failing to comply with 37 CFR 1.84(p)(4) because reference character “1” has been used to designate different parts in different embodiments. The Examiner also objected to the drawings as failing to comply with 37 CFR 1.84(p)(5) because they include the reference character “1” not mentioned in the description. Applicant has replaced the occurrence of reference characters “1” with “1’”, “2” with “2’” and “3” with “3’” in the paragraph of the Background of the Invention Section, which describes the prior art illustrated in Figure 1. Applicant would like to point out that reference character “1” designates the prior art shown in Figure 1 and reference character “1’” designates the invention shown in Figures 2-5.

The Examiner also objected to the drawings as failing to comply with 37 CFR 1.84(p)(5) because they include the reference character “K” not mentioned in the description. Applicant has deleted reference to reference character “K”.

The Examiner also objected to the specification stating that the use of the trademark PERSPEX should be capitalized wherever it appears and accompanied by the generic terminology. Applicant has amended the specification so that all occurrences of the term PERSPEX is capitalized and accompanied by the generic terminology “synthetic resins”.

The Examiner also objected to the specification stating that the phrase “(1) polymethyl methacrylate, lexiglass or acrylic” is out of place. Applicant has deleted this phrase from the specification.

The Examiner objected to claim 8 stating there is insufficient antecedent basis for the limitation “locking teeth” in line 1. Claim 4 has been amended to incorporate the limitations of claim 7, and now includes the limitation “locking teeth”. There is now sufficient antecedent basis for the limitation “locking teeth” in claim 8.

The Examiner also allowed claims 19 and 20 and objected to claims 2, 3, 7-10 and 18 as being dependant upon a rejected base claim, but indicated they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant thanks the Examiner for indication of allowable subject matter. Claim 4 has been amended to incorporate the limitations of claim 7. Thus, independent claim 4 and claims depending therefrom are in condition for allowance.

The Examiner rejected claims 1, 4-6 and 11-17 under 35 U.S.C. 103(a) as being unpatentable over Applicant’s Admission of Prior Art and U.S. Patent No. 6,416,198 to Vanderschuit. Independent claim 4 has been amended, so claim 4 and claims depending therefrom are in condition for allowance. Independent claim 1 has been amended to provide that the light cylinder is faceted. Independent claim 15 already provides that the

light housing is faceted. The Vanderschuit reference does not disclose a light housing or right cylinder which is faceted. However, the Examiner has stated that it would have been obvious to use a faceted cylinder, since the shape of the light cylinder relates to ornamentation only and has no mechanical function. Applicant respectfully disagrees with the Examiner since the faceted cylinder does have a mechanical function. The faceted cylinder acts like a faceted gemstone in that it improves the dispersing of light from the cylinder. When the light is better dispersed by the facets, the brilliance of the ice cube is improved. Thus, Applicant requests reconsideration of the rejections of independent claims 1 and 15 and the claims depending thereon.

In view of the foregoing, it is submitted that claims of application are in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested. The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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